IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

THURSDAY, THE 15TH FEBRUARY 2007 / 26TH MAGHA 1928

WP(C).No. 4518 of 2007(K)

PETITIONER:
---

1. O.M. THANKAPPAN,
PRESIDENT, ERAVIPEROOR MEKHALA, PATTIKAJATHI-PATTIKAVARGA SAMYUKTHA SAMITHI, ERAVIPEROOR P.O., THIRUVALLA.

2. BIJU RAJMOHAN,
CONVENOR, ERAVIPEROOR MEKHALA, PATTIKAJATHI-PATTIKAVARGA SAMYUKTHA SAMITHI, ERAVIPEROOR P.O., THIRUVALLA.

3. K. CHELLAPPAN,
SECRETARY, SHRI AYYANKALI DHARMA PARIPALANA YOGAM (SIDY), ERAVIPEROOR P.O., THIRUVALLA.

BY ADV. SRI.P.KURUVILLA JACOB

RESPONDENTS:
---

1. THE CIRCLE INSPECTOR OF POLICE,
THIRUVALLA.

2. THE DEPUTY SUPERINTENDENT OF POLICE,
THIRUVALLA.

3. C.P. DAMODARAN,
PRESIDENT, P.R.D.S. (PRATHYAKSHA RAKSHA DAIVA SABHA), ERAVIPEROOR P.O., THIRUVALLA.

4. V.K. RAMAN,
VICE PRESIDENT, P.R.D.S. (PRATHYAKSHA RAKSHA DAIVA SABHA), ERAVIPEROOR P.O., THIRUVALLA.

5. P.S. CHELLAPPAN,
GENERAL SECRETARY, P.R.D.S. (PRATHYAKSHA RAKSHA DAIVA SABHA), ERAVIPEROOR P.O., THIRUVALLA.

6. P.T. SUNDARAN,
TREASURER, P.R.D.S. (PRATHYAKSHA RAKSHA DAIVA SABHA), ERAVIPEROOR P.O., THIRUVALLA.

7. K.T. RAJEEV,
PRESIDENT, P.R.D.S., YUVAJANA SANGHAM,
ERAVIPEROOR P.O., THIRUVALLA.

8. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO DEPARTMENT OF HOME AFFAIRS, SECRETARIAT, THIRUVANANTHAPURAM.

R1, R2 & R8 BY G.P. SHRI P.A. SALIM
R3 TO R7 BY ADV. SRI.P.N.PURUSHOTHAMA KAIMAL

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 15/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

EXT.P1-TRUE COPY OF COMPLAINT SUBMITTED BY THIRD PETITIONER AND OTHERS

EXT.P2-TRUE COPY OF PETITIONERS' COMPLAINT DATED 3.2.07 SUBMITTED BEFORE R2 & R3

EXT.P2(A)-TRUE COPY OF RECEIPT DATED 5.2.07 ISSUED TO PETITOINERS WHILE SUBMITTING EXT.P2 COMPLAINT BEFORE R1

// TRUE COPY //

J.B. Koshy & T.R. Ramachandran Nair, JJ.

- -

W.P.(C).NO.4518 of 2007-K

- -

Dated this the 15th day of February, 2007

JUDGMENT

Koshy, J.

This is a petition for police protection. Petitioners 1 and 2 are the President and Convenor of Eraviperoor Pattikajathi-pattikavarga samyouktha samithy and third petitioner is the secretary of a social organisation called S.I.D.Y. (Ayyankali Dharma Paripalana yogam). According to the petitioners, respondents who are office bearers of another organisation called Prathyaksha Raksha Daiva Sabha, are obstructing their activities and they are threatening the petitioners.

Counsel for the respondents submitted that they are not threatening the petitioners or their members. They are celebrating the 129th birthday of their founder and the petitioners' intention is to obstruct the festival. If the respondents want to celebrate anybody's birthday at their place, that cannot be objected. But they cannot also attack the petitioners if the petitioners are carrying on their activities. If there is any interse dispute, that has to be resolved by recourse to appropriate civil remedy. However, we direct the police to see that law and order is maintained and any criminal

complaints are registered, that should be enquired into only according to law.

The writ petition is disposed of in the above terms.

(J.B. Koshy, Judge.)

(T.R. Ramachandran Nair, Judge.)

kav/